

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing **Declaration of Marc Baum in Support of Portside Growth and Opportunity Fund's Motion for Summary Judgment** was served on June 29, 2007, via First Class U.S. Mail to:

Earth Biofuels, Inc.  
3001 Knox Street, Suite 403  
Dallas, TX 75205

*/s/ Kevin Floyd*

Kevin Floyd